



General Assembly

February Session, 2014

Governor's Bill No. 5055

LCO No. 590



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:

REP. SHARKEY, 88th Dist.

REP. ARESIMOWICZ, 30th Dist.

SEN. WILLIAMS, 29th Dist.

SEN. LOONEY, 11th Dist.

AN ACT ELIMINATING MUNICIPAL MANDATES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-33 of the 2014 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective July 1, 2015*):

4 (a) [Subject to the provisions of subsection (e) of this section, if] If
5 any property tax, or any installment thereof, laid by any city, town,
6 borough or other taxing district upon a registered motor vehicle or
7 snowmobile remains unpaid, the tax collector of such city, town,
8 borough or other taxing district shall notify the Commissioner of
9 Motor Vehicles of such delinquency in accordance with subsection (e)
10 of this section and guidelines and procedures established by the
11 commissioner. The commissioner shall not issue registration for such
12 motor vehicle or snowmobile for the next registration period if,

13 according to the commissioner's records, it is then owned by the
14 person against whom such tax has been assessed or by any person to
15 whom such vehicle has not been transferred by bona fide sale. Unless
16 notice has been received by the commissioner under the provisions of
17 section 14-33a, no such registration shall be issued until the
18 commissioner receives notification that the tax obligation has been
19 legally discharged; nor shall the commissioner register any other
20 motor vehicle, snowmobile, all-terrain vehicle or vessel in the name of
21 such person, except that the commissioner may continue to register
22 other vehicles owned by a leasing or rental firm licensed pursuant to
23 section 14-15, and may issue such registration to any private owner of
24 three or more paratransit vehicles in direct proportion to the
25 percentage of total tax due on such vehicles which has been paid and
26 notice of payment on which has been received. The Commissioner of
27 Motor Vehicles may immediately suspend or cancel all motor vehicle,
28 snowmobile, all-terrain vehicle or vessel registrations issued in the
29 name of any person (1) who has been reported as delinquent and
30 whose registration was renewed through an error or through the
31 production of false evidence that the delinquent tax on any motor
32 vehicle or snowmobile had been paid, or (2) who has been reported by
33 a tax collector as having paid a property tax on a motor vehicle or
34 snowmobile with a check which was dishonored by a bank and such
35 tax remains unpaid. Any person aggrieved by any action of the
36 commissioner under this section may appeal therefrom in the manner
37 provided in section 14-134. For the purposes of this subsection,
38 "paratransit vehicle" means a motor bus, taxicab or motor vehicle in
39 livery service operated under a certificate of convenience and necessity
40 issued by the Department of Transportation or by a transit district and
41 which is on call or demand or used for the transportation of
42 passengers for hire.

43 (b) Notwithstanding the provisions of subsection (a) of this section,
44 the Commissioner of Motor Vehicles, in consultation with the
45 Treasurer and the Secretary of the Office of Policy and Management,

46 may enter into an agreement with the tax collector of any city, town,
47 borough or other taxing district whereby the commissioner shall
48 collect any property tax or any installment thereof on a registered
49 motor vehicle which remains unpaid from any person against whom
50 such tax has been assessed who makes application for registration for
51 such motor vehicle. Each such agreement shall include a procedure for
52 the remission of taxes collected to the city, town, borough or other
53 taxing district, on a regular basis, and may provide that a fee be paid
54 by the city, town, borough or other taxing district to the commissioner
55 to cover any costs associated with the administration of the agreement.
56 In the event an agreement is in effect, the commissioner shall
57 immediately issue a registration for a motor vehicle owned by a person
58 against whom such tax has been assessed upon receipt of payment of
59 such tax and a service fee of two dollars, in addition to the fee
60 prescribed for the renewal of the registration.

61 (c) On and after March 1, 1989, any municipality may participate in
62 a program administered by the Commissioner of Motor Vehicles to
63 facilitate the payment of fines for parking violations. If any such
64 municipality elects to participate in such program, it shall provide for a
65 notice of violation to be served personally upon the operator of a
66 motor vehicle who is present at the time of service. If the operator is
67 not present, the notice shall be served upon the owner of the motor
68 vehicle by affixing notice to said vehicle in a conspicuous place. In the
69 case of any motor vehicle that is leased or rented by the owner, not
70 more than thirty days after the initial notice of a parking violation for
71 which a fine remains unpaid at such time, a second notice of violation
72 shall be mailed to the address of record of the owner leasing or renting
73 the motor vehicle to such operator. No fines or penalties shall accrue to
74 the owner of such rented or leased vehicle for the violation for a period
75 of sixty days after the second notice is mailed. Upon receipt of such
76 notification, the owner of such rented or leased vehicle may notify the
77 municipality as to whom the lessee was at the time of such issuance of
78 the notice of violation, the lessee's address, motor vehicle operator's

79 license number and state of issuance, and the municipality shall issue
80 such notice of violation to such lessee. A participating municipality
81 shall notify the commissioner of every owner of a registered motor
82 vehicle who has unpaid fines for more than five parking violations
83 committed within such municipality on and after March 1, 1989. Upon
84 receipt of such notification, the commissioner shall not issue or renew
85 the motor vehicle registration of such person until he receives
86 notification from such municipality that the delinquent fines have been
87 paid.

88 (d) The provisions of subsection (c) of this section shall not apply to
89 any person, firm or corporation engaged in the business of leasing or
90 renting motor vehicles without drivers in this state with respect to any
91 motor vehicle which is leased or rented. The commissioner shall adopt
92 regulations, in accordance with chapter 54, to implement the
93 provisions of subsection (c) of this section.

94 (e) [On and after July 1, 2004, each city and town shall make an
95 annual payment to the Commissioner of Motor Vehicles, in an amount
96 determined by the Secretary of the Office of Policy and Management,
97 in order to participate in the program administered by the Department
98 of Motor Vehicles pursuant to subsection (a) of this section. Such
99 amount shall be each city or town's proportionate cost of the
100 administration of said program, to be determined as follows: The
101 number obtained by multiplying said program's administrative cost by
102 a fraction the numerator of which shall be the city or town's population
103 and the denominator of which shall be the population of the state. As
104 used in this section, "population" means the number of persons in the
105 city or town according to the most recent estimate made, pursuant to
106 section 19a-2a, by the Department of Public Health. The commissioner
107 shall, on or before July fifteenth, annually, certify to said secretary the
108 commissioner's cost to administer said program. The secretary shall,
109 on or before August first, annually, notify the chief executive officer of
110 each city and town of the amount such city or town is required to pay
111 to the commissioner and such amount shall be payable not later than

112 September first following said notification date. All amounts received
113 by the commissioner pursuant to this subsection shall be deposited
114 into the General Fund. If a city or town fails to annually pay its
115 proportionate share of said program's administrative cost, the] The tax
116 collector of a city, town, borough or other taxing district shall notify
117 the Commissioner of Motor Vehicles of any outstanding delinquent
118 property tax payment or installment thereof for a registered motor
119 vehicle or snowmobile not later than the first day of each month. In
120 any month in which a tax collector fails to provide such notice to the
121 commissioner, the commissioner shall not be required to deny the
122 issuance of a registration, pursuant to subsection (a) of this section, to
123 the person against whom such tax has been assessed by said city or
124 town, or by a borough or other taxing district located therein.

125 (f) Any city, town, borough or other taxing district that notifies the
126 commissioner of (1) a delinquency in accordance with subsection (a) of
127 this section, or (2) an owner of a registered motor vehicle who has
128 unpaid fines for more than five parking violations in accordance with
129 subsection (c) of this section, may participate in a program to issue
130 temporary registrations for passenger motor vehicles on behalf of the
131 commissioner to persons whose registrations have been denied, and
132 who subsequently make full payment to the city, town, borough or
133 other taxing district for the amounts owed under said subsections. A
134 participating city, town, borough or other taxing district shall issue
135 such temporary registrations in accordance with subsection (i) of
136 section 14-12 and shall retain the fees authorized in subsection (n) of
137 section 14-49 for such registrations. The commissioner may adopt
138 regulations in accordance with chapter 54 to carry out the provisions of
139 this subsection.

140 Sec. 2. (NEW) (*Effective July 1, 2014*) (a) (1) Notwithstanding any
141 provision of the general statutes, any municipal charter, any special act
142 or any home rule ordinance, any municipality required to effect a
143 revaluation of real property under section 12-62 of the general statutes,
144 for the 2015 assessment year shall not be required to effect a

145 revaluation prior to the 2017 assessment year, provided any decision
146 not to implement a revaluation pursuant to this subsection is approved
147 by the legislative body of such municipality. The rate maker, as
148 defined in section 12-131 of the general statutes, in any municipality
149 that elects, pursuant to this subsection, not to implement a revaluation
150 may prepare new rate bills under the provisions of chapter 204 of the
151 general statutes in order to carry out the provisions of this subsection.

152 (2) Any required revaluation subsequent to any delayed revaluation
153 effected pursuant to subdivision (1) of this subsection shall be effected
154 in accordance with the provisions of section 12-62 of the general
155 statutes. Such subsequent revaluation shall recommence at the point in
156 the schedule required pursuant to section 12-62 of the general statutes
157 that the municipality was following prior to such delay.

158 (b) (1) Notwithstanding any provision of the general statutes, any
159 municipal charter, any special act or any home rule ordinance, any
160 municipality that is currently in the process of phasing in a real
161 property assessment increase, or a portion of such increase, may
162 suspend such phase-in for a period of time, but not later than the 2017
163 assessment year, provided any decision to suspend a phase-in
164 pursuant to this subsection is approved by the legislative body of such
165 municipality. The rate maker, as defined in section 12-131 of the
166 general statutes, in any municipality that elects, pursuant to this
167 subsection, to suspend a phase-in may prepare new rate bills under the
168 provisions of chapter 204 of the general statutes in order to carry out
169 the provisions of this subsection.

170 (2) Any required phase-in of a real property assessment increase
171 subsequent to any suspension of such phase-in pursuant to this
172 subsection shall recommence at the point at which such phase-in was
173 suspended, provided any municipality required, pursuant to section
174 12-62 of the general statutes, to implement a revaluation prior to the
175 completion of the phase-in shall implement such revaluation as
176 required.

177 (c) The assessor or board of assessors of any municipality that elects,
 178 pursuant to subsection (a) of this section, not to implement a
 179 revaluation of real property for the 2015 assessment year or, pursuant
 180 to subsection (b) of this section, to suspend a phase-in of an assessment
 181 increase for the 2015 assessment year, shall prepare a revised grand list
 182 for said assessment year, which shall reflect the assessments of real
 183 estate according to the grand list in effect for the assessment year
 184 commencing October 1, 2014, subject only to transfers of ownership,
 185 additions for new construction and reductions for demolitions. Such
 186 assessor shall send notice of any increase in the valuation of real estate
 187 over the valuation of such real estate as of October 1, 2014, or notice of
 188 the valuation of any real estate that is on the grand list to be effective
 189 for the October 1, 2015, assessment year, but was not on such list in the
 190 prior assessment year, to the last-known address of the person whose
 191 valuation is so affected, and such person shall have the right to appeal
 192 such increase or valuation during the next regular session of the board
 193 of assessment appeals at which real estate appeals may be heard.

194 Sec. 3. Section 7-163b of the general statutes is repealed. (*Effective*
 195 *July 1, 2014*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	14-33
Sec. 2	<i>July 1, 2014</i>	New section
Sec. 3	<i>July 1, 2014</i>	Repealer section

Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]